

R. JOSEPH TROJAN

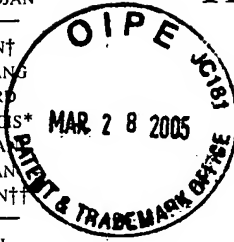
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1EW

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March 24, 2005

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

VIA U.S. FIRST CLASS MAIL

Re: U.S. Patent Application for Auxiliary Eyewear
Attachment Methods and Apparatus
Serial No.: 10/763,967
Filing Date: January 22, 2004
Inventor: Zelman, Gary Martin
Attorney Docket No.: R0409-4078

Dear Madam/Sir:

Please find enclosed the following documents:

1. Information Disclosure Statement (1 page and 1 reference);
2. Concise Statement of Relevance (2 pages);
3. Credit Card Payment Form 2038 (1 page);
4. Fee Transmittal Form (1 page and 1 copy);
5. Certificate of Mailing by 1st Class Mail (1 page);
6. Cover Letter (2 pages); and
7. Return Receipt Postcard (1 page)

Re: Patent Application for Auxiliary Eyewear Attachment Methods and Apparatus
Inventor: Zelman, Gary Martin
March 24, 2005
TLO R0409-4078
Page 2 of 2

If any additional fees are required, please deduct the required amounts from Deposit Account No. 500703 (Trojan Law Offices).

Very truly yours,

TROJAN LAW OFFICES

by

A handwritten signature in black ink, appearing to read "Dylan C. Dang", with a long, sweeping horizontal line extending to the right.

Dylan C. Dang
Reg. No. 55,797

DCD/jh
Enclosures
cc: Mr. Gary Martin Zelman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ZELMAN, GARY MARTIN

Serial No. 10/763,967

Filed: 01/22/2004

Title: *Auxiliary Eyewear Attachment
Methods and Apparatus*



Examiner: Mai, Huy K.

Art Unit: 2873

Attorney Docket No. R0409-4078

INFORMATION DISCLOSURE STATEMENT ADDENDUM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please find attached hereto an Information Disclosure Statement ("IDS") for a printed publication entitled "Takumi Magnetic Eyewear," published by Manhattan Design Studio, Inc. in approximately October 1997 in New York, New York.

Concise Statement of Relevance

The printed publication ""Takumi Magnetic Eyewear" (hereinafter "Takumi") shows an eyewear including a primary spectacle frame and an auxiliary frame. The auxiliary frame includes an upper arm and a lower arm connected to the lens rims. Each lower arm includes a magnet. The primary frame also includes arms connected to the lens rims. Each primary frame arm also includes a magnet. When the auxiliary frame is attached to the primary frame, the primary frame arms slide between the corresponding upper and lower arms of the auxiliary

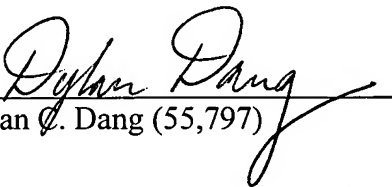
5 frame. The upper surfaces of the magnets on the lower auxiliary arms engage the bottom
surfaces of the magnets on the primary frame to connect the auxiliary frame to the primary
frame.

10 Respectfully Submitted,

TROJAN LAW OFFICES

By

15 Dated: March 24, 2005


Dylan C. Dang (55,797)

20 TROJAN LAW OFFICES
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30



PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

180.00

Complete if Known

| | |
|----------------------|---------------------|
| Application Number | 10/763,967 |
| Filing Date | January 22, 2004 |
| First Named Inventor | Zelman, Gary Martin |
| Examiner Name | Mai, Huy K. |
| Art Unit | 2873 |
| Attorney Docket No. | R04-09-4078 |

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | _____ |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

| Fee (\$) | Small Entity Fee (\$) |
|----------|-----------------------|
| 50 | 25 |

Each independent claim over 3 (including Reissues)

| | |
|-----|-----|
| 200 | 100 |
|-----|-----|

Multiple dependent claims

| | |
|-----|-----|
| 360 | 180 |
|-----|-----|

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|----------|---------------|
|--------------|--------------|----------|---------------|

_____ - 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|
|---------------|--------------|----------|---------------|

_____ - 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--------------------------------------------------|----------|---------------|
|--------------|--------------|--------------------------------------------------|----------|---------------|

_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Submission of an Information Disclosure Statement 180.00**SUBMITTED BY**

| | | | |
|-------------------|-------------------|------------------------------------------|------------------------|
| Signature | <u>Dylan Dang</u> | Registration No. (Attorney/Agent) 55,797 | Telephone 310-777-8399 |
| Name (Print/Type) | Dylan C. Dang | | Date March 24, 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CERTIFICATE OF MAILING (37 C.F.R. 1.8(a))

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4. Fee Transmittal Form (1 page and 1 copy);
5. Certificate of Mailing by 1st Class Mail (1 page);
6. Cover Letter (2 pages); and
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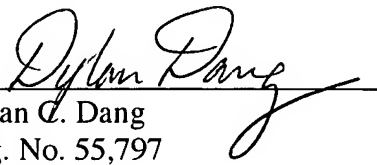
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Commissioner for Patents
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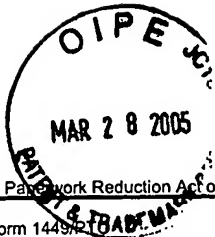
on March 24, 2005,

For U.S. Patent Application for Auxiliary Eyewear
Attachment Methods and Apparatus
Serial No.: 10/763,967
Filing Date: January 22, 2004
Inventor: Zelman, Gary Martin
Attorney Docket No.: R0409-4078

TROJAN LAW OFFICES

By:


Dylan C. Dang
Reg. No. 55,797



PTO/SB/08B (08-03)

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Substitute for form 1449/2

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

| | |
|------------------------|-------------|
| Application Number | 10/763,967 |
| Filing Date | 01-22-2004 |
| First Named Inventor | Gary Zelman |
| Art Unit | 2873 |
| Examiner Name | Mai, Huy K. |
| Attorney Docket Number | R0409-4078 |

Sheet

of

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|-----------------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| | | Manhattan Design Studio, "Takumi Magnetic Eyewear" sales catalog (pages 43-75), (app.) Oct. 1997, New York, New York | |
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Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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